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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/712,574	11/14/2000	Toshiya Kanesaka	S004-4146	9723

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ADAMS & WILKS  
50 Broadway  
31st Floor  
New York, NY 10004

EXAMINER

SAID, MANSOUR M

ART UNIT	PAPER NUMBER
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2673

DATE MAILED: 03/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/712,574

Applicant(s)  
Toshiya Kanes et al.

Examiner  
Mansour M. Said

Art Unit  
2673



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Jan 6, 2003
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6, 8, 10, 11, 15-19, and 21-25 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6, 8, 10, 11, 15-19, and 21-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

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## **DETAILED ACTION**

### ***Response to Amendment***

1. This office action is in respond to the amendment filed on January 15, 2003, and five claims (21-25) have been added.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claimed limitations such as “ a remaining charge of a battery of the first information is not clear”. Explanation is needed.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

**5. Claims 1-2, 6, 8, 10, 15, 18-19 and 21-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Panasik (6,219,553).**

As to claim 1, 8, and 15, Panasik (figures 1a-1b) teaches an information processing system comprising a first information processing device (teacher calculator, (14)) having a first wireless communicator for receiving and sending data information by wireless communication and a display for displaying the data information (abstract, column 3, lines 35-67, column 4, lines 23-47); and a second information processing device (student calculator, (18)) having a second wireless communicator for receiving and sending data information by wireless communication from the first information processing device and a display for displaying data information

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corresponding to the data information displayed by the display of the first information processing device (column 3, lines 39-67 and column 4, lines 1-47).

As to claims 3 and 18, Panasik (figures 1a-1b) teaches that the data information displayed by the display of the second information processing device corresponds to the information relating to an ongoing communication state between the first information processing device and an external device (abstract, column 2, lines 40-49, column 3, lines 4-67 and column 4, lines 1-67).

As to claim 6 and 24, Panasik (figures 1a-1b) fairly discloses that mounting means for mounting the second information processing device (student calculator, (18) on a person's arm (column 3, lines 35-67).

As to claims 10, 9 and 23, Panasik (figures 1a-1b) discloses that the data information displayed by the first display (14) comprises first level information (abstract and column 3, lines 35-67); and wherein the operating step comprises displaying with the second display (18) second level information corresponding to a sub-level of the first level information (abstract, column 3, lines 35-67 and column 4, lines 1-67).

As to claim 21, Panasik (figures 1a-1b) discloses that the display of the second information processing device (18) displays data information identical to the data information displayed by the display of the first information device (14) (column 3, lines 35-67 and column 4, lines 1-67).

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As to claim 22, Panasik (figures 1a-1b) discloses that each of the displays of the first and second information processing devices displays a portion of the data information (devices 14 and 18 can send/receive different amount of data) (column 3, lines 35-67 and column 4, 20-47).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 2, 17 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Panasik in view of Prater (5,617,102).**

As to claims 2 and 17, As best understood, Panasik discloses all claimed limitations in claim 2 except that information relating to a remaining charge of a battery of first information processing device.

However, Prater discloses that information relating to a remaining charge of a battery of first information processing device.

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Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to combine Prater's communication device teaching battery recharges into Panasik system so as to provide the advantage of extending the operating life of the transceiver battery (column 2, lines 46-51).

As to claim 25, Panasik teaches all claimed limitations in claim 25 except that the device has a switch.

However, Prater (figures 2-5) communications transceiver device having a switch (220) (column 3, lines 53-67 and column 4, lines 15-67).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to combine Prater's device having a switch into Panasik's device to increase the versatility of the device.

**8. Claims 11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Panasik in view of William (GB 2,149,554).**

As to claims 11 and 1, Panasik teaches all claimed limitations except that a computer readable recording medium for storing for storing a program for processing by a computer to execute the information processing.

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However, William (figure 10) teaches a computer readable recording medium for storing for storing a program for processing by a computer to execute the information processing (column 4, lines 79-116 and column 5, lines 40-55).

Therefore, it would have been to one ordinary skill in the art at the time the invention was made to incorporate William's device storing computer program into Panasik's system so as to increase the versatility of the device.

### *Response to Arguments*

9. Applicant's arguments with respect to claims 1-3, 6,8, 10-11 and 15-19 have been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS Office ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period



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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mansour M. Said** whose telephone number is **(703) 306-5411**.

The examiner can normally be reached on Monday through Thursday from 8:30 a.m. to 6:00 p.m. The examiner can also be reached on alternate Friday from 8:30 a.m. to 5:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Shalwala Bipin**, can be reached at **(703) 305-4938**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist)

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12. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer service Office whose telephone number is (703) 306-0377.

Patent Examiner

March 21, 2003

**Mansour M. Said**

  
**KENT CHANG**  
**PRIMARY EXAMINER**